UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

AVISTA CORPORATION

Employer

and

Case 19-RC-15234

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL UNION 77

Petitioner

ORDER

On October 22, 2009, the two sitting members of the Board issued an Order granting review in this proceeding. On June 17, 2010, the United States Supreme Court issued its decision in *New Process Steel, L.P. v. NLRB*, 130 S.Ct. 2635, holding that under Section 3(b) of the Act, in order to exercise the delegated authority of the Board, a delegee group of at least three members must be maintained. The Board has carefully considered the Employer's September 18, 2009, Request for Review of the Regional Director's Decision and Direction of Election, and finds it raises substantial issues warranting review. Accordingly, we affirm the decision to grant the earlier Request for Review.

WILMA B. LIEBMAN,

CHAIRMAN

PETER C. SCHAUMBER,

MEMBER

BRIAN E. HAYES,

MEMBER

Dated, Washington, D.C., August 27, 2010